SINGLE BENCH

(3)

(1)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 3593 **/2005**

PETITIONER : **Smt. Sushila Dubey,**
Wd/o Late Shri Krishna Kumar
Dubey, Aged about 55 years,
Occupation – Housewife,
R/o House No. 13, Rajkiya Grih
Nirman Samiti, Hanuman Nagar
(Hanuman Mandir), Titurdeeh,
Durg (C.G.).

- **Versus**-

P.R. No. 3552/05
Presented by Shri Sushil Kumar
dated 26/7/05

RESPONDENTS : 1. State of Chhattisgarh,
Through Secretary, Cooperative
Department, Mantralaya, D. K. S.
Bhawan, Shastri Chowk,
Raipur (C.G.).

2. Registrar,
Co-operative Societies,
Chhattisgarh, Raipur (C.G.).

3. Deputy Registrar,
Cooperative Societies,
Durg (C.G.).

4. Sales Officer,
Cooperative Societies,
Durg (C.G.)

5. Managing Director,
Awas Sangh Maryadit,
Raipur (C.G.).

6. Rajkiya Housing Cooperative Society,
Through its Secretary,
Titurdeeh, Durg (C.G.).

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26/07/05
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पथ आयुक्त
बिलासपुर तहसील केन्द्र

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT OF MANDAMUS, PROHIBITION, CERTIORARI ETC.OR ANY OTHER DIRECTION OR ORDER TO DO JUSTICE IN THE MATTER.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WPC No. 3593/05 **सन्** 200

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

8-8-2005

Shri Rajeev Shrivastava, counsel for the petitioner.

Shri Sandeep Dubey, Govt. Advocate for the State.

Heard both the counsel.

The case of the petitioner is that she is residing at plot No.12, Khasra No.47/8, situated at Hanuman Nagar, Titurdeeh, Durg and the house was allotted to the petitioner's husband by the Housing Board through Rajkiya Co-operative Society and the loan was repaid by the petitioner's husband. The petitioner's husband died on 8-11-90 and since then the petitioner is residing in the house in question. Now, all of a sudden, respondent No.4 sent notices, Form-O and Form-A issued under Rule 66 of the Co-operative Societies Rules 1962 declaring that in pursuance of the decree dated 22-1-99 passed in case No.84-A/Ka/321 year 1997-98 filed against the late husband of the petitioner.

The main grievance of the petitioner is that without giving an opportunity and without giving any notice to the petitioner, all of a sudden, decree was passed in the name of the petitioner's husband who passed away as back as on 8-11-90. In the given situation, the petitioner ought to have represented before respondent No.4 as well as the authority who passed the decree in the name of her late husband who was not alive on that day.

Therefore, the petitioner to first approach these authorities and if her grievances are not redressed and still she finds that any legal right is violated, then she can approach this Court.

In the meantime, till the petitioner represents before appropriate authority and obtains necessary order, in order to enable her to approach

(27)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Barve	the respective authority for redressal of her grievances, 2 weeks' time is granted. Till then respondents authorities should not proceed with the impugned notices. With the direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P. No.3013/2005 and I.A. No.6795/2005 also stand disposed of. Parties are entitled for certified copy of this order. **Sd/-** **L.C. Bhadoo** **Judge**	

(पीछे देखिये)